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Summary record of the 57th meeting
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Chairman: Mr. Rosenthal ..... (Guatemala)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 3.10 p.m.

Agenda item 132: Financing of the United Nations Mission in Sierra Leone (*continued*) (A/C.5/55/L.49)

Draft resolution A/C.5/55/L.49

1. **Ms. Dinič** (Croatia), Vice-Chairman, introducing draft resolution A/C.5/55/L.49, expressed the hope that it would be adopted by consensus.

2. *Draft resolution A/C.5/55/L.49 was adopted.*

Agenda item 116: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Reports of the Office of Internal Oversight Services (*continued*) (A/C.5/55/L.56)

Draft decision A/C.5/55/L.56

3. **Mr. Kelapile** (Botswana), Vice-Chairman, introducing draft decision A/C.5/55/L.56, noted that, while the report of the Office of Internal Oversight Services on the inspection of the consolidation of technical support services in the Department of General Assembly Affairs and Conference Services (A/55/803) had also been introduced under the item, along with the four reports referred to in the draft decision, the Committee had decided to continue its consideration of that report at the second part of the resumed fifty-fifth session of the General Assembly so as to enable one delegation to obtain clarifications on a number of points it had raised. He urged the adoption of the draft decision by consensus.

4. *Draft decision A/C.5/55/L.56 was adopted.*

Agenda item 122: Scale of assessments for the apportionment of the expenses of the United Nations (*continued*) (A/55/789)

5. **Mr. Chandra** (India), Vice-Chairman, reporting on the informal consultations on the item, said that a large majority of delegations had expressed the view that the Committee should defer taking a decision on the application of Article 19 of the Charter pending the consideration by the Committee on Contributions at its forthcoming session, of the relevant report of the Secretary-General (A/55/789).

6. **Mr. Ahmed** (Iraq) said that, on 6 August 1990, the Security Council had imposed sweeping sanctions against Iraq under its resolution 661 (1990), which, inter alia, prohibited Iraq from exporting goods of any kind and froze its assets abroad. Those sanctions had prevented Iraq from obtaining funds for the purchase of food and medicine, let alone for the payment of its assessed contributions to the international organizations of which it was a member. Moreover, at the end of 1992, the United Nations had refused to accept payments from Iraq in Iraqi dinars. Given Iraq's inability, because of the embargo maintained against it, to pay its contributions in hard currency, its arrears to the budget of the United Nations had come to exceed the amount provided for in Article 19 of the Charter.

7. Since 1994, Iraq had periodically requested exemption from the provisions of Article 19 until such time as the sanctions were lifted, or to be allowed to pay its assessed contributions in local currency, as it had until 1992. However, one member of the Committee on Contributions had blocked those requests for political reasons. The most recent such request had been considered at the special session of the Committee on Contributions held in February 1999. As stated in the Committee's report to the General Assembly (A/53/11/Add.1, para. 64), there had been some discussion of whether the outstanding assessments of Iraq could be met from the sale of Iraqi oil, and some members had felt that that possibility warranted further consideration.

8. Accordingly, in January 2000, Iraq had requested the Security Council to approve the allocation of $24 million from the Iraq Account established pursuant to resolution 986 (1995) and the memorandum of understanding of 20 May 1996, and specifically the 53 per cent and 13 per cent accounts, for the payment of, inter alia, the arrears in Iraq's contributions to the budget of the United Nations. Many members had expressed support for Iraq's request, but the United States had objected on the grounds that the revenues from sales of Iraqi oil should be used exclusively for the purposes set out in resolution 986 (1995). In April 2000, Iraq had requested that the same amount should be withdrawn from the 2.2 per cent account allocated to the administrative and operational expenses of the Iraq Programme, which, at that time, had had a surplus of more than $212 million. The Council had considered the request without achieving a consensus and his

delegation had subsequently been informed that one member, the United States, had blocked the initiative.

9. Iraq attached great importance to the payment of its arrears to the budgets of international organizations, in particular, the United Nations. His Government had made a legitimate request to use the funds accrued in the 2.2 per cent account for that purpose, noting that full payment by Iraq of its assessed contributions to the United Nations would help alleviate the financial crisis facing the Organization.

10. **The Chairman** said that the comments of the representative of Iraq had been noted.

11. He suggested that the Committee should take note of the information provided by the Vice-Chairman.

12. *It was so decided.*

Agenda item 124: United Nations common system (*continued*)

Strengthening the international civil service (*continued*) (A/C.5/55/L.55)

Draft decision A/C.5/55/L.55

13. **Mr. Chandra** (India), Vice-Chairman, introducing draft decision A/C.5/55/L.55, expressed the hope that it would be adopted by consensus.

14. *Draft decision A/C.5/55/L.55 was adopted.*

Agenda item 126: Report of the Secretary-General on the activities of the Office of Internal Oversight Services (*continued*) (A/C.5/55/L.58)

Draft decision A/C.5/55/L.58

15. **Mr. Kelapile** (Botswana), Vice-Chairman, introduced draft decision A/C.5/55/L.58.

16. *Draft decision A/C.5/55/L.58 was adopted.*

The meeting was suspended at 3.40 p.m. and resumed at 4.35 p.m.

Agenda item 123: Human resources management (*continued*) (A/C.5/55/L.57)

17. **Mr. Chaudhry** (Pakistan), speaking as coordinator of the informal consultations on the draft resolution on human resources management, said that, following intensive efforts, including late-night consultations, agreement had been reached on approximately 180 of the draft resolution's 200 paragraphs, as reflected in the most recent version of the text, which had been circulated to members. Given the length of the document and the vastness of the subject, delegations could take pride in their accomplishment. There was a general consensus among Committee members to defer consideration of the remaining 20 paragraphs, pertaining to contractual arrangements, recruitment and placement and administration of justice, to the second part of the resumed fifty-fifth session of the Assembly. Given the political will and constructive spirit which had prevailed in the negotiations, he was optimistic that the Committee would complete its work on human resources management at that time.

18. **The Chairman** thanked the representative of Pakistan for his heroic efforts to achieve consensus on such a difficult and complex subject. He, too, would characterize the negotiations as constructive and echo the coordinator's optimism. Stressing the importance of establishing the best possible conditions to attract excellent personnel to the United Nations and the Committee's responsibilities in handling such a sensitive matter, he said that it would be extremely frustrating if the Committee were to be unable to conclude its work by the end of the second part of the resumed fifty-fifth session of the Assembly.

19. *Draft decision A/C.5/55/L.57 was adopted.*

20. **Mr. Lenefors** (Sweden), speaking on behalf of the European Union in explanation of position after the decision, said that the work of the Committee had been intense and fruitful and that only a limited number of issues remained for its consideration in May. The draft before the Committee formed a very sound basis for the pursuit of negotiations. He thanked Mr. Chaudhry, Committee members and the Fifth Committee secretariat for their contributions and was confident that the Committee would successfully conclude its negotiations during the second part of the resumed fifty-fifth session of the Assembly.

21. **Mr. Mirmohammad** (Islamic Republic of Iran), speaking on behalf of the Group of 77 and China, expressed disappointment that the draft resolution had not been adopted a week earlier. The Group of 77 and China had shown flexibility in understanding other delegations' need for additional time but, regrettably, even that had proved to be insufficient. The Group of

77 and China would participate constructively in the resumed negotiations, which they hoped would culminate in the adoption of the draft resolution in its entirety.

22. **Mr. Fox** (Australia), speaking also on behalf of Canada and New Zealand, expressed appreciation to the coordinator and to delegations, particularly the Chairman of the Group of 77 and China and the President of the European Union, for their constructive role in the negotiations. He hoped that the technological innovations introduced by the Secretariat in the informal consultations would be maintained in the future. The draft text in its current form represented a significant amount of work and a huge effort on the part of all delegations to bridge differences. Despite the cautionary and strategic guidance it contained in a number of important reform areas, there was every reason to believe that the Committee would approve the package in its entirety at the second part of the resumed fifty-fifth session. Canada, Australia and New Zealand hoped that the Secretary-General and the Secretariat would be encouraged by the Committee's work and that the Secretary-General would continue his reform initiatives.

23. **Mr. Dugan** (United States of America) said that his delegation would be consulting with others during the interval between the first and second parts of the resumed fifty-fifth session of the Assembly in order to make progress towards agreement on the remaining portions of the draft text. It was rare for such an ambitious text to be considered at the United Nations and substantial progress had already been made. His delegation was grateful to all those who had made that possible and looked forward to the resumption of negotiations on the draft resolution in May.

Other matters

24. **The Chairman** drew attention to the legal opinion provided by the Under-Secretary-General for Legal Affairs, the Legal Counsel on the meaning of the phrase "taking note of", contained in document A/C.5/55/42. He had sought a legal opinion in response to a request by the representative of the Syrian Arab Republic. The Legal Counsel would be available to respond to further questions by the Committee at the beginning of the second part of the resumed fifty-fifth session.

25. **Mr. Nakkari** (Syrian Arab Republic) expressed his delegation's deep gratitude to the Chairman for the skilful and wise manner in which he had conducted the work of the Fifth Committee and for accommodating all points of view expressed by its members. He also wished to thank the Under-Secretary-General for Legal Affairs, the Legal Counsel for his response and for his willingness to pursue the matter further at the second part of the resumed fifty-fifth session.

Completion of the work of the Fifth Committee at the first part of the resumed fifty-fifth session of the General Assembly

26. **The Chairman** declared that the Fifth Committee had completed its work at the first part of the resumed fifty-fifth session, and that the item on human resources management would be the first to be taken up by the Committee at the second part of the resumed fifty-fifth session of the Assembly.

The meeting rose at 4.55 p.m.